

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED
JUN 25 2019
Clerk, U.S. Courts
District Of Montana
Missoula Division

TRAVIS CLINTON RHETT
PLANTIKO,

Petitioner,

vs.

MONTANA STATE PRISON,
DEPARTMENT OF CORRECTIONS,
2019 MONTANA COURTS,

Respondents.

CV 19-29-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendations on May 15, 2019, recommending that this action be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b). (Doc. 4 at 4.) Petitioner did not object to the Findings and Recommendations and so has waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235

F.3d 422, 427 (9th Cir. 2000) (citations omitted). Reviewing for clear error and finding none,

IT IS ORDERED that Judge Lynch's Findings and Recommendations (Doc. 4) are ADOPTED IN FULL and this case is DISMISSED pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that the Clerk of Court is directed to enter judgment in favor of Respondents and against Petitioner by separate document.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

DATED this 25th day of June, 2019.



Dana L. Christensen, Chief Judge
United States District Court